

Remarks

Favorable reconsideration is respectfully requested in light of the above amendments and the following comments. The claims have been amended to more particularly describe the invention. In particular, claims 1 and 21 have been amended to require that the distal end of the catheter include a bent tip having a rounded profile. This is illustrated for example in Figures 5A and 5D, and is described at page 11, lines 10-12 of the instant specification. The claims have been amended for clarity. New claims 28-29 have been added to round out the potential scope of protection, as supported for example in Figures 5A and 5D. No new matter has been added as a result of these amendments.

Applicants respectfully traverse the Examiner's rejection of claims 1-4, 6-7 and 21-23 under 35 USC § 102(e) as anticipated by Hopkins et al., U.S. Patent No. 6,544,279 (hereinafter Hopkins). In order to anticipate, the cited reference must disclose each and every claimed element. Hopkins fails to do so.

In particular, Hopkins fails to disclose a catheter having a distal end that includes a bent tip having a rounded profile. Rather, Hopkins describes in Figure 22b (cited by the Examiner) an element 564 which is nothing more than a flared end to the catheter 560. The element 564 is described by Hopkins as being moveable between a flared configuration and a non-flared configuration. A flared end is not equivalent to a bent tip having a rounded profile.

Therefore, Hopkins does not describe the claimed invention, which requires that the distal end of the catheter include a bent tip having a rounded profile. Thus, because

Hopkins does not disclose this claimed limitation, Hopkins cannot be considered as anticipating the claimed invention.

Moreover, Hopkins cannot be considered as suggesting the claimed invention. As described in the specification, the catheter has a distal end that includes a bent tip having a rounded profile in order to reduce the possible risk of injury to the patient. In contrast, Hopkins appears to describe a catheter having a flared end in order to more easily accommodate the filter to be retrieved. Therefore, Hopkins does not appear to suggest a catheter distal tip design that addresses the issue of potential injury risk. Thus, Hopkins cannot be considered as suggesting the claimed invention.

In view of the amendments and comments presented herein, favorable reconsideration in the form of a Notice of Allowance is respectfully requested. If a teleconference is deemed beneficial, the undersigned attorney may be contacted at the telephone number provided below.

Respectfully submitted,

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By their Attorney,

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